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Attorneys for W. Donald Gieseke, Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

IN RE:

OWENS PRECISION, INC.,

Debtor.

Case No.: 19-51323-BTB
CHAPTER 11

NOTICE OF ENTRY OF ORDER
APPROVING STIPULATION TO
CONTINUE AUCTION PURSUANT TO
GUARANTEE AGREEMENT TO
REMARKET ASSETS OF OWENS
PRECISION INC.

PLEASE TAKE NOTICE that the Order Approving Stipulation to Continue Auction Pursuant to Guarantee Agreement to Remarket Assets of Owens Precision Inc. ("Order") [ECF No. 262] was entered on February 3, 2021. A copy of said Order is attached.

Dated this 5th day of February 2021.

HOLLEY DRIGGS

/s/ Andrea M. Gandara
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Andrea M. Gandara, Esq. (NV Bar No. 12580)
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*Attorneys for W. Donald Gieseke,
Chapter 11 Trustee*

Bruce T. Beesley

Honorable Bruce T. Beesley
United States Bankruptcy Judge



Entered on Docket
February 03, 2021

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Chapter 11 Trustee*

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

OWENS PRECISION, INC.,

Debtor.

Case No. 19-51323-btb
Chapter 11

**ORDER APPROVING STIPULATION TO
CONTINUE AUCTION PURSUANT TO
GUARANTEE AGREEMENT TO
REMARKET ASSETS OF OWENS
PRECISION INC.**

Judge: Hon. Bruce T. Beesley

The Court having considered the Stipulation to Continue Auction Pursuant to Guarantee Agreement to Remarket Assets of Owens Precision Inc. [ECF No.261] (the “Stipulation”) filed by W. Donald Gieseke, Chapter 11 Trustee (the “Trustee”), by and through its counsel, Richard F. Holley, Esq. and Andrea M. Gandara, Esq. of the law firm Holley Driggs, Onyx Asset Advisors, LLC (“Onyx”) and Rabin Worldwide (“Rabin” and collectively with Onyx the “Sales Agent”), by and through their counsel, Nicholas B. Beatty of Dorsey & Whitney LLP, UMB Bank, N.A. as successor by merger to Marquette Business Credit, LLC and Marquette Business Credit SPE I,

1 LLC (“UMB”), by and through its counsel, Timothy A. Lukas, Esq. of the law firm Holland &
 2 Hart P.C., and Wells Fargo Equipment Finance (“Wells Fargo”), by and through its counsel,
 3 Nathan G. Kanute of the law firm Snell & Wilmer L.L.P., and good cause appearing therefore:

4 **IT IS HEREBY ORDERED** that the Stipulation [ECF No. 261] is **APPROVED**.

5 **IT IS FURTHER ORDERED** that auction of the Sale Assets¹ may be continued to the
 6 week of March 8-12, 2021.

7 **IT IS FURTHER ORDERED** that the Sales Agent shall be the exclusive party that is
 8 authorized to negotiate with interested buyers. The Trustee shall not communicate regarding sale
 9 negotiations with interested buyers (including, without limitation Parker Hannifin, or its suppliers),
 10 without the prior written consent of the Sales Agent. The Trustee will take such actions as are
 11 reasonably requested by Sales Agent in order to facilitate the completion of the auction beginning
 12 no later than March 15, 2021.

13 **IT IS FURTHER ORDERED** that the Trustee may use UMB’s cash collateral consistent
 14 with a budget approved by UMB via written consent only.

15 **IT IS FURTHER ORDERED** that, in accordance with the terms of the Final Order (I)
 16 Authorizing Use of Cash Collateral Pursuant to Section 363 of the Bankruptcy Code, (II) and
 17 Granting Adequate Protection Pursuant to Sections 361, 362, and 363 of the Bankruptcy Code (the
 18 “Cash Collateral Order”) ECF No. 93, UMB has an allowed secured claim that it reports is in the
 19 principal amount of \$560,217.61 plus accrued interest and fees which fees and interest continue to
 20 accrue and as of December 31, 2020, is in the amount of not less than \$73,212.94.² UMB must
 21 submit a payoff to the Trustee consistent with the Sale Order prior to payment from auction
 22 proceeds.

23 **IT IS FURTHER ORDERED** that the Trustee shall provide notice to parties in interest
 24 regarding the Stipulation and this Order approving the Stipulation.

25
 26 ¹ Defined as “[t]he tangible personal property assets located at [5966 Morgan Mill Road, Carson
 27 City, Nevada 89701 (the ‘Premises’)]” in the Motion for Entry of an Order Under 11 U.S.C. §§
 363 and 105 Approving Sale of Estate Assets Free and Clear and Related Relief [ECF No. 240]
 (the “Sale Motion”).

28 ² Subject to verification of the amount by the Trustee through back up for the claim by UMB.

1 **IT IS FURTHER ORDERED** that, except as otherwise provided herein, all other terms
2 of the Sale Order shall remain in effect.

3 **IT IS SO ORDERED.**

4 Prepared and submitted by:
5 **HOLLEY DRIGGS**

6 /s/Andrea M. Gandara
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9 *Attorneys for W. Donald Gieseke, Chapter 11*
10 *Trustee*

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HOLLEY DRIGGS

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Holley Driggs, and that on the 5th day of February 2021, I caused to be served a true and correct copy of **NOTICE OF ENTRY OF ORDER APPROVING STIPULATION TO CONTINUE AUCTION PURSUANT TO GUARANTEE AGREEMENT TO REMARKET ASSETS OF OWENS PRECISION INC.** in the following manner:

☒ (ELECTRONIC SERVICE) Under Local Rule 5005 of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by that Court's facilities.

☒ (UNITED STATES MAIL) By depositing a copy of the above-referenced document for mailing in the United States Mail, first class postage prepaid, at Las Vegas, Nevada, to the parties listed on the attached service list, at their last known mailing addresses, on the date above written. **See attached.**

☐ (OVERNIGHT COURIER) By depositing a true and correct copy of the above-referenced document for overnight delivery via Federal Express, at a collection facility maintained for such purpose, addressed to the parties on the attached service list, at their last known delivery address, on the date above written.

☐ (FACSIMILE) That I served a true and correct copy of the above-referenced document via facsimile, to the facsimile numbers indicated, to those persons listed on the attached service list, on the date above written.

/s/ Olivia Swibies
An employee of Holley Driggs

13 Martin Auto Color
2765 US Highway 50 East
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A L Sierra Welding
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Carson City, NV 89701-1924

AMERICAN TELEPHONE & TELEGRAPH
COMPANY
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CAROL STREAM, IL 60197-5025

ARAMARK Uniform & Career Apparel, LLC
c/o Sheila R. Schwager
Hawley Troxell Ennis & Hawley LLP
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DESERT FIRE PROTECTION
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